

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	MARIKA ROSCIOLI	:	CHAPTER 13
		:	
	Debtor.	:	
		:	
COVENTRY GREEN CONDOMINIUM		:	
ASSOCIATION,		:	CASE NO. 18-13097-amc
	Movant.	:	
		:	
		:	<b>Hearing: October 8, 2019; 11:00 a.m.</b>
MARIKA ROSCIOLI		:	<b>Courtroom 4</b>
	Respondent.	:	

**ORDER FOR RELIEF  
FROM AUTOMATIC STAY**

**AND NOW**, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019, upon consideration of the motion of creditor Coventry Green Condominium Association (“Movant”), it is

**ORDERED** that the automatic stay is lifted with respect to Movant and Movant may proceed with all legal action to enforce its lien arising out of Debtor’s failure to pay condominium assessments and to enforce its rules and regulations relating to Debtor’s dogs.

**BY THE COURT:**

\_\_\_\_\_  
J.

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**MOTION OF COVENTRY GREEN CONDOMINIUM ASSOCIATION  
FOR RELIEF FROM AUTOMATIC STAY**

Creditor Coventry Green Condominium Association moves for relief from the automatic stay as follows:

1. Debtor has been delinquent in payment of condominium assessments since 2014.
2. Debtor has failed to tender any post-petition condominium assessment payments since June, 2019 even though she owns and occupies a unit within Coventry Green Condominium Association (the "Association"). The monthly payments are \$234.00, with late charges of \$25.00 per month. Presently, there is due the sum of \$777.00 for post-petition assessments and late fees, plus legal fees of \$750.00, and \$184.00 for the costs of the within motion. The total presently due is \$1,677.00. The next payment of \$234.00 is due on or before October 1, 2019.
3. In addition, Debtor failed to properly restrain her dogs while on the Association's common areas, in violation of the Association's rules and regulations and local ordinances and state law.

4. Pursuant to 11 U.S.C. Section 523 (a) (16), fees for condominium assessments are non-dischargeable if the debtor continues to have an ownership interest in the dwelling unit.

5. Despite repeated demands, debtor has failed to pay the outstanding condominium assessments and to properly restrain her dogs.


6. Pursuant to Section 3315 of the Uniform Condominium Act (68 Pa. C.S.A. 3315), Movant has a lien against Debtor's unit for all unpaid condominium fees and assessments.

7. Despite Debtor's failure to pay condominium assessments, Movant has remained obligated to incur expenses to maintain and repair common areas of the premises and Movant's ability to provide said services is impaired by Debtor's continuous failure to pay condominium fees.

8. Movant has cause to request an order for relief from the automatic stay to institute court action to enforce its lien and to collect the assessments, and to enforce its rules and regulations and local and state law as to Debtor's dogs.

**WHEREFORE**, Movant respectfully requests that this Court enter an order granting Movant relief from the automatic stay in order to execute upon a judgment already obtained pre-bankruptcy and/or to institute a new court action against the Debtor to collect the assessments, and to enforce its rules and regulations and local and state law as to Debtor's dogs.

**DEAN E. WEISGOLD, P.C.**

By:   
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(215) 599-0327  
Attorney for Creditor  
Coventry Green Condominium Assoc.

**CERTIFICATE OF SERVICE**

I, Dean E. Weisgold, Esquire, hereby certify that a true and correct copy of the within Motion to Dismiss Bankruptcy and/or for Relief from Stay was served by United States first class mail, postage prepaid and by ECF filing on September 11, to the counsel below named:

Kenneth G. Harrison, Esquire  
5 Neshaminy Interplex  
Suite 115  
Trevose, PA 19053

**DEAN E. WEISGOLD, P.C.**

By: Dean W  
Dean E. Weisgold  
Attorney for Movant  
Coventry Green Condominium Assoc.